



## **Maryland Department of Juvenile Services**

### **Response to Department of Legislative Services Analysis and Recommendations**

February 2006

#### **DJS Accomplishments**

- ❖ Following Governor Ehrlich's order on June 30, 2005, the committed residential program at The Charles H. Hickey, Jr., School is now closed.
  - Youth have received appropriate placements, or were released through the normal completion of their commitment and are being served by smaller, private residential programs or through services provided in their homes and communities.
  - Parents are involved in all phases of youth transition/placement and arrangements have been made for quarterly parental visits for all out-of-state placements.
  - Staff were reassigned to existing vacancies within Hickey or transferred to vacant positions at DJS.
- ❖ On September 1, 2005, the Maryland State Department of Education assumed operation of the school at the Lower Eastern Shore Children's Center.
  - As of January 2, 2006, MSDE has assumed operation of the school at the Baltimore City Juvenile Justice Center.
- ❖ On October 1, 2005, a pilot project for regionalization was started in the Western region.
  - Green Ridge Youth Center is operating as a regional committed facility serving youth from the Western region.
  - A regional director has been appointed to administer both residential and community justice operations in the region.
  - This project, when completed, will decentralize much of the service delivery to four regions in the state.

- The DJS Central Office will maintain the role of policy, quality assurance, and coordination.
- ❖ In Baltimore City, Juvenile Detention Alternatives Initiative (JDAI) programs such as Evening Reporting Centers and the Immediate Charging Project have been developed to divert youth from detention and reduce the number of days in detention.
  - These efforts are being expanded to Baltimore County, Anne Arundel, Prince George's and Montgomery and we have hired a full-time JDAI Coordinator to facilitate that expansion.
- ❖ We continue to make progress in fulfilling the agreement with the U.S. Department of Justice to implement key reforms to strengthen health and education services for youth at Cheltenham and the detention program which remains at Hickey following closure of the committed programs.
  - The agreement was signed June 29, 2005 to address findings under the Civil Rights of Institutionalized Persons Act ("CRIPA").
  - Improved special education, mental health and medical services
  - Enhanced safety and suicide prevention measures
- ❖ We implemented the Performance-based System (PbS), the award-winning self-assessment system developed with the support of the US Office of Juvenile Justice and Delinquency Prevention (OJJDP), at the Baltimore City Juvenile Justice Center, Cheltenham Youth Facility and Hickey, Jr., School.
  - This program will move to all DJS facilities.
- ❖ Advisory Boards have been established at:
 

Baltimore City Juvenile Justice Center	Alfred D. Noyes Center (Montgomery)
J. DeWeese Carter Center (Kent)	Thomas J.S. Waxter Center (Anne Arundel)
Cheltenham Youth Facility (Prince George's)	Western Maryland Children's Center (Washington)
Charles H. Hickey, Jr. School (Baltimore County)	Green Ridge Regional Youth Center (Allegany)
Lower Eastern Shore Children's Center (Wicomico)	Savage Mountain, Meadow Mountain and Backbone Mountain Youth Centers (Garrett)
- Boards will be forming for the Maryland Youth Residence Center and William Donald Schaefer House in Baltimore City.
- ❖ We have completed and adopted the Implementation Plan, Phase Two of the DJS Facilities Master Plan.
  - The implementation plan closely aligns with the Governor's vision of a child-centered approach and the progression from an historic over-reliance on residential services to an emphasis on community-based services.
- ❖ We have established a newly developed model of care to deliver behavioral health services based on assessed risk to the community

- Uses the Child and Adolescent Level of Care Utilization System (CALOCUS) as an assessment instrument to ensure youth receive treatment at the most appropriate level of care.
- ❖ On September 12, 2005, a Community & Family Resource Center opened at the Justice Center
  - the first of its kind in juvenile services
  - brings together youth families, community-based family and mental health advocacy organizations, and DJS staff
- ❖ Beginning January 1, 2006, in partnership with the Department of Public Safety and Correctional Services (DPSCS), state and Federal Bureau of Investigation (FBI) background checks for prospective DJS employees will also be completed prior to hire through an automated process eliminating a manual process that would have taken several months to complete.
- ❖ More and more DJS youth are earning their General Equivalency Diplomas (GED) each year
  - 66% in FY 2005 compared with 46% in FY 2004
  - GED credentials enable youth to get better jobs, continue their education, and to feel better about themselves.

### **DJS Budget Highlights**

With the state's improved fiscal position, this budget provides a significant increase in funding. It really represents a watershed for DJS. The budget gives DJS the capacity to do its job right. The increase is focused on providing the department with the resources it needs to take proper care of the youth in the juvenile justice system. Each item in the budget will buy a service or a tool that DJS can use to promote good outcomes for Maryland's troubled youth. For example:

- **Behavioral health** assessment and treatment will improve our ability to identify the right service package or placement for each youth.
  - **Results:** better treatment, fewer unnecessary residential placements, more connections to services in the community, better chances for youth to turn their lives around.
- **Information technology** improvements will improve the flexibility and reliability of our case management system, create a wider and more robust network among DJS facilities and offices, provide a dedicated network for education programs in DJS facilities, and provide improved security in facilities.
  - **Results:** caseworkers and behavioral health workers will have easier access to case information and more opportunities to exchange information and opinions among professionals; increased resources

available to educators in DJS facilities; improved supervision of youth in facilities.

- **Equipment and vehicles** can be replaced for the first time in four years.
  - **Results:** safe and reliable transportation for youth. Suitable furnishings and equipment in youth housing areas, kitchens, health suites, and DJS intake offices.
- **Vacancy relief** will allow DJS to fill more direct care and case management positions.
  - **Results:** better supervision in facilities and on probation and aftercare.
- **Programs:** the budget also provides adequate resources to fund the level of residential placements ordered by the courts, and funding for new secure committed programs that will return youth from out of state.
  - **Results:** more timely, more appropriate placements closer to youths' home communities.

### **Budget Recommendations and Response**

Our detailed responses to the Department of Legislative Services recommendations follow. It is our ardent hope that you will recognize how critical this funding is for some of Maryland's most challenged young people, and that you will approve it intact.

1. **DLS Recommendation:** restrict \$100,000 in Office of the Secretary pending a multi-agency report on Group Home providers.

**DJS response: Agree in principle, disagree with restriction.**

DJS will cooperate fully in providing the requested information. DJS disagrees that it is necessary to restrict funding.

2. **DLS Recommendation:** restrict \$100,000 in Office of the Secretary pending submission of audits of group home providers to the Inter-agency Rates Committee (IRC) and the IRC delivering a report to the budget committees.

**DJS response: Agree in principle, disagree with restriction.**

DJS will cooperate fully in providing the requested information. DJS disagrees that it is necessary to restrict funding.

3. **DLS Recommendation:** Restrict \$100,000 in Office of the Secretary pending submission of a multi-agency report showing the percentage expended by group home providers on direct care and proposing a minimum percentage of funding which should go towards direct care.

**DJS Response: Disagree.**

DJS disagrees with the approach recommended and suggests an examination of providers' staff to client ratios or other, more meaningful, measures to ensure that children are receiving quality care. DJS disagrees that it is necessary to restrict funding.

4. **DLS Recommendation:** Restrict \$100,000 in Office of the Secretary pending submission of a multi-agency report providing a methodology for IRC rates to incorporate performance-based incentives.

**DJS response: Agree in principle, disagree with restriction.**

DJS supports performance-based incentives for providers. DJS will cooperate fully in developing the recommendations. DJS disagrees that it is necessary to restrict funding.

5. **DLS Recommendation:** Restrict wage and salary funding from being expended for other purposes.

**DJS Response: Disagree. Support JCR Language.**

DJS expected to expend all of the funds budgeted for wages, salaries and benefits for those purposes. However, we are also aware that unforeseen circumstances and new exigencies can require spending plans to change. DJS opposes this stringent restriction on its management flexibility. DJS would support Joint Chairmen's Report language requiring us to notify the budget committees in advance of any diversion of salary funding for another purpose.

6. **DLS Recommendation:** Reduce \$271,000 and 5 positions for vacant administrative positions.

**DJS Response: Disagree**

Although DJS has a large number of vacancies, 90% of them are in facilities and field offices. DJS cannot afford to lose any more positions. More positions are needed to meet staffing standards in facilities and caseload standards for intake and probation staff.

The increase in headquarters positions is not in management and administrative functions. They are in areas that directly support facility and field office operations: information technology, personnel administration, monitoring and auditing, and facility maintenance.

7. **DLS Recommendation:** Reduce \$1.8 million for technology upgrades at Cheltenham Youth Facility

## **DJS Response: Disagree**

The Cheltenham Youth Center has an immediate need to install campus-wide cabling throughout the facility to provide voice, data, and future video surveillance services. The existing conduit and exterior cabling is 47 years old and has deteriorated beyond repair. The cables and conduits terminate in the buildings in which basements often flood and are exposed to damage from animals. On rainy days several of the offices, including the Infirmary, have no communications at all. This creates an unsafe environment for both the staff and the youth.

In order for the staff to conduct daily operations and access or update case management data when the cabling fails, they must travel to buildings across campus to access an operational computer. This is a tremendous burden on staff, slows down the work-flow, and hinders the ability to have accurate, up-to-date information which is so critical to the success of our operation.

Additionally, the existing phone system is in dire need of an upgrade. The equipment has intermittent failures during inclement weather.

The proposed fiber solution at this facility is a technology known as “air-blown” fiber. This solution will support the current somatic and behavioral health services, support MSDE when the transition of education services occurs, and will provide a cost effective means to add or move the fiber when the proposed replacement facility at CYF is constructed.

- Education- the capacity of the Cheltenham Youth Facility school to provide quality educational services is severely undermined by the lack of basic technology, including telephones and computers. Education personnel cannot now communicate effectively and efficiently with treatment and custody staff within the facility, or with students’ parents, local school systems and aftercare personnel in the community. Parents wanting to communicate with the school to schedule special education meetings, for example, cannot even leave a telephone message.

Teachers at CYF do not have access to computer-assisted resources for academic instruction and career exploration that are considered a routine part of the curriculum in schools throughout the State. The education program also cannot utilize computer-based academic credit recovery programs that allow youth to maintain progress toward high school graduation while in secure care facilities. The lack of technology is a significant factor in teachers’ perceptions of poor working conditions in the school, which hampers our ability to recruit and retain a sufficient number of qualified education personnel.

The negative impact of the lack of technology in the school program was specifically cited in the first report on compliance with the Settlement Agreement between the State and the U. S. Department of Justice regarding compliance with the Civil rights of Institutionalized Persons Act (“CRIPA”). The education monitor noted that the inability of education personnel to access the DJS ASSIST database in the school results in

inefficient and delayed access to information about students' special education status and needs.

- Behavioral Health- DJS needs to establish critical connectivity at the Cheltenham Youth Facility (CYF) so that behavioral health staff can adequately perform their functions. Facility-based case management, mental health and substance abuse staff need to have access to phones and computers. Without these tools, these staff will continue to be hampered in their attempts to access information from ASSIST and other DJS data bases, maintain contact with colleagues – both internal and external to CYF regarding the care and treatment of detained youth. Development of Treatment Service Plans is significantly compromised. The ability to maintain 24/7 coverage and connectivity among disciplines within the agency to ensure necessary emergency oversight of youth, who may evidence acuity, is similarly thwarted without essential tools for communication.

DJS will soon release an RFP in cooperation with DHMH to secure a vendor to provide a comprehensive mental health and substance program to CYF youth. Our ability to attract a vendor is undermined if we are not able to ensure the vendors access to phones and computers.

- Somatic Health- the Cheltenham Youth Facility Health Center provides the largest number of infirmary beds in DJS. DJS Health Centers function through communication and collaboration between other sites (who send and receive youth from the CYF Health Center) via e-mail and the "ASSIST" case management system. Not having the capability to interact with other sites via these two basic types of communication puts the CYF health care staff at a huge disadvantage. Timely exchange of medical information is crucial.

Under the schedule proposed in the Facility Master Plan, the Cheltenham replacement would not open until at least fiscal year 2011. The upgrades are being designed so that the equipment can ultimately be relocated to the replacement facility.

8. **DLS Recommendation:** Reduce \$216,000 for replacement computer funding.

**DJS Response: Disagree**

The amount of the budget request is based in recent pricing obtained from the DBM's statewide contract. DJS had no funding for IT equipment replacement in fiscal year 2006. Statewide, our existing personal computer inventory has an average age of more than 6 years. We are experiencing equipment failures on a routine basis,

resulting in losses of data and lost productivity. DJS needs to replace obsolete equipment as promptly as possible.

**9. DLS Recommendation:** Reduce \$100,000 for vehicle maintenance.

**DJS Response:** Disagree

This is a 25% reduction in the vehicle maintenance budget. Most DJS vehicles are used to transport youth, at least occasionally, and to transport direct care workers to youths' homes, schools, and treatment settings. Vehicle reliability is an issue of youth safety and staff safety.

DLS asserts that less maintenance expenditures will be required as DJS replaces old vehicles. However, this budget will only take the first step towards establishing a regular replacement schedule, and at this funding level, the DJS fleet will not meet state guidelines for three years. The Department will still be operating 44 vehicles with over 100,000 miles.

Also, due to the timing of the state's vehicle contract, new vehicles are not available until 7-8 months into the fiscal year. For over half the year, DJS will need to continue to maintain its existing fleet, with an average vehicle mileage over 90,000 miles.

**10. DLS Recommendation:** Reduce \$110,000 special funds reflecting a lower estimate of donations at facilities.

**DJS Response:** Agree

**11. DLS Recommendation:** Restrict \$100,000 pending a report on Medicaid Reimbursement for behavioral health evaluations.

**DJS response:** Agree in principle, disagree with restriction.

DJS will provide the requested report. DJS agrees that it should be possible to claim Medicaid reimbursement for some behavioral health evaluations. DJS disagrees that it is necessary to restrict funding.

**12. DLS Recommendation:** reduce \$100,000 for medicine and related supplies.

**DJS Response;** Disagree

This is a 17% reduction, and the resulting amount for prescription medications would be less than the FY 2005 actual expenditures. Ever-increasing numbers of youth in DJS facilities are prescribed various medications, particularly psychotropic



medications. DJS does not detect any reduction in expenditure needs for medication and medical supplies.

**13. DLS Recommendation:** reduce \$144,000 for non-residential programs.

**DJS Response: Disagree**

DJS foresees that initial implementation delays in expanding community non-residential programs will be overcome in the coming months, and full funding will be needed in fiscal year 2007.

**14. DLS Recommendation:** Require progress report and evaluation of regionalization initiative.

**DJS Response: Agree**

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DJS staff members are available to respond to other issues discussed in the DLS analysis. **The Department of Juvenile Services respectfully requests the Committee's favorable consideration of our proposed budget.**



## **Maryland Department of Juvenile Services**

### **Response to Department of Legislative Services Analysis and Recommendations**

#### **PAYGO**

Senate Budget and Taxation Committee  
Subcommittee on Capital Budget  
February 21, 2006

#### **BALTIMORE CITY JUVENILE JUSTICE CENTER SCHOOL RENOVATION PROJECT**

**DLS Recommendation:** The deletion of \$3,000,000 in PAYGO funding for a proposed renovation project at the Baltimore City Juvenile Justice Center (BCJJC).

**DJS and MSDE Response:** Disagree

The Department of Juvenile Services (DJS) and the Maryland State Department of Education (MSDE) jointly disagree with deleting these very important funds. The following is a detailed explanation as to why these funds are critical to the functions of the facility and most importantly to the children it serves. These recommendations are supported by both Departments and exit interviews following the United State's Department of Justice (DOJ) inquiry at the BCJJC.

#### **BACKGROUND**

On May 26, 2004, House Bill 1139 was enacted. The bill directed MSDE to take over the educational programs at all DJS operated facilities by 2012. MSDE had previously assumed educational responsibilities at the Charles H. Hickey Jr. School and the Lower Eastern Shore Children's Center.

In accordance with House Bill 1139, MSDE assumed responsibility for the education programs at the BCJJC officially on January 2, 2006. In anticipation of this change MSDE began work at the BCJJC on December 12, 2005. Special education services were initiated on December 13, 2005 and general education classes commenced on December 20, 2005.

Prior to the assumption of this responsibility it was determined by MSDE, and reinforced by the DOJ in their exit interview comments, that the educational space at the BCJJC was inadequate for the projected population and program classes and services.

## RECOMMENDATIONS

The following is an enumeration as to why these vital renovations are fundamental to the educational program at the BCJJC.

1. The **student population is too large** for the educational space
  - Current space is inadequate for a 6 hour education program for 108+ students in school at the same time (current population is 120+)
  - Original construction design was for 2 groups of 72 students receiving 3 hours of instruction on a split AM / PM schedule. MSDE must provide at least 6 hours of instruction for each child, eliminating the possibility of a split schedule
2. The **number of classrooms is insufficient** to conduct the MSDE education program
  - Currently there are only 5 classrooms, a computer lab, a media center, and ad hoc areas for Occupational Skills Technology, Support and Special Education services
  - Program parameters of the proposed renovations include 7 classrooms, a special education classroom, a media center, an Occupational Skills Technology Room, Computer Lab, space for administrative and support staff, instructional work space, and storage
  - Extraordinarily high numbers and percentages of special education students require additional space to meet the many and varied needs of this population
3. The **size of the existing classrooms is too small** for 12 – 22 students, Teacher, Teacher Aide, 2 Direct Care Staff and all related materials, supplies and equipment
  - Current classrooms have an average 513 net square feet (NSF) per room
  - This size limitation creates proximity issues that contribute to tension and conflicts
  - Small classrooms additionally limits staffs' timely movements to students needing instructional and/or behavioral assistance
4. The school **hallways are too narrow for safe and efficient movement** of the students into/out of school and between classes
  - a. Hallways are only 4 feet wide creating very tight quarters during student movements in school
  - b. This negatively impacts instructional time due to delays
  - c. Movement in and out of school for a class in the Gym area is affected by the narrow halls
5. **Student support** (Assessment, Guidance, Psychology, Transition) **and special education services are forced to be delivered in 'ad hoc', open, noisy space** at the entrance to the school
  - Confidentiality and student ability to focus on instruction and counseling is compromised by this setting

- Testing reliability is subject to compromise when delivered in an inappropriate space
  - Meeting areas for IEPs and similar needs are found on an itinerant basis creating irregularity and inconsistency
6. **Noise levels** or routine DJS and MSDE daily functions are exacerbated by the small spaces
  7. The **Occupational Skill Technology Room does not have the necessary utilities** to properly conduct class
  8. **Office space for support staff in the school is non-existent.**
  9. **Instructional preparation areas are too small** for teachers to prepare materials for daily instruction
  10. **Student records are stored in the open general office** area that has high traffic and accessibility to anyone entering the area, additionally impacting confidentiality

DJS and MSDE are dedicated to the education and safety of the children in this facility. Without the appropriate setting, we are doing a disservice to the children for whom we are charged with educating. Again, joined by MSDE, we strongly disagree with the recommendation to delete the funds allotted for this critical project.



## **Maryland Department of Juvenile Services**

### **Capital Budget – New Juvenile Detention Facility**

#### **Response to Department of Legislative Services Analysis and Recommendations**

**March 2006**

The Department of Juvenile Services requests \$2.1 million in design funds for a new detention facility to replace the existing facility and the Charles H. Hickey, Jr. School. The facility was operated by private contractors from 1991 to 2004, when DJS resumed operation of the site. The Department's master plan consultant, Development Services Group has recommended that the Hickey facility should close.

The consultant advised that "The overall physical condition of the buildings at Hickey is poor to fair. Vacant buildings can be characterized as decaying through neglect. Occupied buildings suffer from hard use and deferred maintenance. Complete and proper renovation of the currently occupied residential buildings would require vacating them for an extensive capital project. In the case of the detention buildings, whose configuration is not suited to detention, this would be a poor investment."

The new center will serve 72 boys and 24 girls. It will be a modern facility under one roof which will efficiently provide security as well as appropriate education, treatment and program space.

The Department of Legislative Service's analysis suggests three alternatives to deleting the funding for this project. DJS supports the first-named option of "Moving forward with the proposed project but withholding the use of funds until DJS picks a site and provides a more accurate project cost estimate."

DJS respectfully requests the Committee's favorable consideration of this item, with the restriction noted above.



## **Maryland Department of Juvenile Services**

### **Capital Budget - Juvenile Services Grant Program**

#### **Response to Department of Legislative Services Analysis and Recommendations**

March 2006

The Juvenile Services Facilities Grant Program provides a way for the State to expand our capacity to serve and treat youth committed to our care by providing resources to private community providers. The four projects in this year's request touch on different critical priorities of the juvenile justice system: pre-delinquency services and prevention, comprehensive treatment for non-violent sex offenders, and gender-specific programming for delinquent females.

The Department of Juvenile Services is very pleased that DLS is recommending approval of our request. We respectfully request the Committee's favorable consideration of this item.